

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:
TIMOTHY M. MYERS



Order Filed on January 10, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 22-12461 ABA


Chapter: 13

Judge: ABA

**ORDER ON MOTION TO REOPEN CHAPTER 13 BANKRUPTCY AND
VACATE DISMISSAL OF CASE**

The relief set forth on the following page is hereby **ORDERED**.

DATED: January 10, 2023



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

The debtor having filed a motion to vacate dismissal of case; and the court having considered any objections filed; and for good cause shown; it is

☒ ORDERED that the motion is granted. The case is reopened and the order dismissing case is vacated effective on the date of this Order.

No actions taken during the period this case was dismissed were subject to the automatic stay or other provisions of the Bankruptcy Code;

IT IS FURTHER ORDERED that any deadline unexpired at the time of dismissal is nullified and reset as follows. Creditors and/or parties in interest have:

1. until the original deadline fixed by the court to file a complaint to object to the debtor's discharge or dischargeability of certain debts, or 60 days from the date of this Order, whichever is later;

2. until the original deadline fixed by the court to file a proof of claim or required supplement, or 60 days from the date of this Order, whichever is later; and

3. until the original deadline fixed by the court to object to exemptions, or 30 days from the date of this Order, whichever is later.

IT IS FURTHER ORDERED that if the meeting of creditors has not been concluded, the debtor must contact the case trustee to schedule a new date for the meeting, and must provide 21 days' notice under Bankruptcy Rule 2002(a)(1) of the new date to all creditors and parties in interest.

IT IS FURTHER ORDERED that if this is a chapter 13 case, and the debtor's plan has not been confirmed, the confirmation hearing is rescheduled to February 22, 2023 at 10 am.

☐ ORDERED that the motion to vacate order dismissing case is denied.

IT IS FURTHER ORDERED that whether the motion is granted or denied, the debtor must, within 3 days of the date of this Order, serve all creditors and parties in interest with a copy of this Order and immediately thereafter file Local Form *Certification of Service*.

IT IS FURTHER ORDERED that the Debtor shall forward \$13,792.00 to the Chapter 13 Trustee within ten (10) days of the date of this Order.

IT IS FURTHER ORDERED that the Debtor shall provide to the Trustee within ten(10) days of this Order:

- a. Proof of payment for car from son and the corresponding contribution letter;
- b. Homeowners Insurance for Elm Avenue;
- c. Certification of Debtor for Snow Removal;
- d. License for Area 51 Lawn and Landscaping, LLC;
- e. Profit and Loss for Snow Removal dated 3/1/2021-2/28/2022;
- f. Amend Vol. Petition, Need # related to Chapter 11 case;
- g. Amend Schedule A/B, D, add 2017 Ford F-450, add Kubota property (not currently on Schedule B/C), add federal tax refund for 2021, add state refund for 2021
- h. Amend Schedule J (testified that Chapter 11 payment is \$3,000);
- i. Prove feasibility;
- j. Amend 122C-2 (correct vehicle payments which do not last sixty (60) months)
- k. File a modified plan to treat US HUD SPOC, treat IRS secured and priority POCs, treat Kubota Credit Corp, NJ secured and priority POC, and provide for step plan payment when various financed vehicles are paid off.

IT IS FURTHER ORDERED that Debtor shall submit all future payments to the Trustee via w/o or TFS;

IT IS FURTHER ORDERED that Debtor shall within fifteen (15) days file a motion to approve payment outside the Debtor's Chapter 13 plan to Internal Revenue Service and State of New Jersey;

IT IS FURTHER ORDERED that should Debtor fail to comply with the terms of this Order, Debtor's case shall be dismissed upon the receipt of certification by the Trustee of such non-compliance filed with the Court and served upon Debtor.